

a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1410, strike line 1, and all that follows through page 1412, line 10, and insert the following:

(b) **RESTRICTIONS OF CONFUCIUS INSTITUTES.**—An institution of higher education that maintains a contract or agreement between the institution and a Confucius Institute shall not be eligible to receive any Federal funds, including funds provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.).

SA 1620. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, insert the following:

SEC. 25 . BIOFUEL RESEARCH.

The Director shall ensure that any study of electric vehicles or renewable fuels funded by the Foundation includes research on all biofuels.

SA 1621. Mr. JOHNSON (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2614 and insert the following:

SEC. 2614. COMPETITIVENESS WITHIN THE HUMAN LANDING SYSTEM PROGRAM.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) advances in space technology and space exploration capabilities ensure the long-term technological preeminence, economic competitiveness, STEM workforce development, and national security of the United States;

(2) the development of technologies that enable human exploration of the lunar surface and other celestial bodies is critical to the space industrial base of the United States;

(3) commercial entities in the United States have made significant investment and progress toward the development of human-class lunar landers;

(4) NASA developed the Artemis program—

(A) to fulfill the goal of landing United States astronauts, including the first woman and the next man, on the Moon; and

(B) to collaborate with commercial and international partners to establish sustainable lunar exploration by 2028; and

(5) in carrying out the Artemis program, the Administrator should ensure that the entire Artemis program is inclusive and representative of all people of the United States, including women and minorities.

(b) **STATEMENT OF POLICY.**—It shall be the policy of the United States—

(1) to bolster the domestic space technology industrial base, using existing tools and authorities, particularly in areas central to competition between the United States and the People's Republic of China; and

(2) to mitigate threats and minimize challenges to the superiority of the United States in space technology, including lunar infrastructure and lander capabilities.

(c) **HUMAN LANDING SYSTEM PROGRAM.**—

(1) **IN GENERAL.**—In carrying out the human landing system program, the Administrator shall, to the extent practicable—

(A) encourage reusability and sustainability of systems developed; and

(B) offer existing capabilities and assets of NASA centers to support such partnerships.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise appropriated for the Artemis program, for fiscal year 2021, there is authorized to be appropriated \$2,510,000,000 to NASA to carry out the human landing system program.

(3) **SAVINGS.**—The Administrator shall not modify, terminate, or rescind any selection decisions or awards made under the human landing system program that were announced prior to the date of enactment of this division.

(d) **AUTHORIZATION OF APPROPRIATIONS FOR PUBLIC-PRIVATE PARTNERSHIP.**—There is authorized to be appropriated \$7,522,000,000 to the Secretary of Health and Human Services—

(1) to establish a public-private partnership for the purpose of producing active pharmaceutical ingredients; and

(2) for the Biomedical Advanced Research Development Authority to provide grants to private entities for such purpose.

SA 1622. Ms. COLLINS (for herself, Ms. MURKOWSKI, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. 25 . IMPLEMENTATION OF ENERGY ACT OF 2020.

Not later than 45 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report that describes a plan for implementing the programs authorized pursuant to the Energy Act of 2020 (Public Law 116-260) and amendments made by that Act.

SA 1623. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a

new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF GREENFIELD INVESTMENTS BY PEOPLE'S REPUBLIC OF CHINA.

(a) **INCLUSION IN DEFINITION OF COVERED TRANSACTION.**—Section 721(a)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking “; and” and inserting a semicolon;

(B) in clause (ii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iii) any transaction described in subparagraph (B)(vi) proposed or pending on or after the date of the enactment of this clause.”; and

(2) in subparagraph (B), by adding at the end the following:

“(vi) An investment by a foreign person that—

“(I) involves—

“(aa) the completed or planned purchase or lease by, or a concession to, the foreign person of private or public real estate in the United States; and

“(bb) the establishment of a United States business to operate a factory or other facility on that real estate; and

“(II) could result in control, including through formal or informal arrangements to act in concert, of that United States business by—

“(aa) the Government of the People's Republic of China;

“(bb) a person owned or controlled by, or acting on behalf of, that Government;

“(cc) an entity in which that Government has, directly or indirectly, including through formal or informal arrangements to act in concert, a 5 percent or greater interest;

“(dd) an entity in which that Government has, directly or indirectly, the right or power to appoint, or approve the appointment of, any members of the board of directors, board of supervisors, or an equivalent governing body (including external directors and other individuals who perform the duties usually associated with such titles) or officers (including the president, senior vice president, executive vice president, and other individuals who perform duties normally associated with such titles) of any other entity that held, directly or indirectly, including through formal or informal arrangements to act in concert, a 5 percent or greater interest in the entity in the preceding 3 years; or

“(ee) an entity in which any members or officers described in item (dd) of any other entity holding, directly or indirectly, including through formal or informal arrangements to act in concert, a 5 percent or greater interest in the entity are members of the Chinese Communist Party or have been members of the Chinese Communist Party in the preceding 3 years.”.

(b) **DEFINITION OF GOVERNMENT OF PEOPLE'S REPUBLIC OF CHINA.**—Section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)) is amended—

(1) by redesignating paragraphs (8) through (13) as paragraphs (9) through (14), respectively; and

(2) by inserting after paragraph (7) the following:

“(7) GOVERNMENT OF PEOPLE’S REPUBLIC OF CHINA.—The term ‘Government of the People’s Republic of China’ includes the national and subnational governments within the People’s Republic of China, including any departments, agencies, or instrumentalities of such governments.”.

(c) MANDATORY FILING OF DECLARATIONS.—Section 721(b)(1)(C)(v)(IV)(bb) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)(v)(IV)(bb)) is amended by adding at the end the following:

“(DD) GREENFIELD INVESTMENTS BY PEOPLE’S REPUBLIC OF CHINA.—The parties to a covered transaction described in subsection (a)(4)(B)(vi) shall submit a declaration described in subclause (I) with respect to the transaction.”.

SA 1624. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TRADING PROHIBITION FOR NON-INSPECTION YEAR.

Section 104(i)(3) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214(i)(3)) is amended—

(1) in the paragraph heading, by striking “3 YEARS OF NON-INSPECTIONS” and inserting “NON-INSPECTION YEAR”; and

(2) in subparagraph (A), in the matter preceding clause (i), by striking “3 consecutive non-inspection years” and inserting “a non-inspection year”.

SA 1625. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—REVITALIZING MULTILATERAL EXPORT CONTROL DIPLOMACY FOR CRITICAL TECHNOLOGIES ACT

SEC. ____ 01. SHORT TITLE.

This title may be cited as the “Revitalizing Multilateral Export Control Diplomacy for Critical Technologies Act”.

SEC. ____ 02. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) United States arms embargoed countries are implementing malign and aggressive industrial policies using non-market means and engaging in predatory investment to gain control of critical technologies in

order to achieve market dominance and control supply chains.

(2) These countries integrate their industrial policies into initiatives that break down the barriers and distinctions between the commercial sector and the military to ensure that critical technologies support the development of their military.

(3) These countries seek to obtain critical technologies from the United States and covered United States allies and partners.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the fast-paced nature of technological innovation and the systemic diversion of technological innovation and know-how by United States arms embargoed countries for the benefit of developing and enhancing their militaries, challenges the effectiveness of existing multilateral fora established specifically to prevent such export control risks, such as the Wassenaar Arrangement; and

(2) the ability of United States arms embargoed countries to access critical technologies that affect the national security of the United States should spur the United States to work with covered United States allies and partners to develop unified export control policies to eliminate or substantially reduce the global availability of critical technologies to United States arms embargoed countries.

SEC. ____ 03. STRATEGY TO CONTROL THE AVAILABILITY OF CRITICAL TECHNOLOGIES.

(a) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) work with covered United States allies and partners to develop unified export control policies to eliminate or substantially reduce the global availability of critical technologies to United States arms embargoed countries, including by—

(A) leading regular and rapid bilateral and plurilateral negotiations with respect to specific critical technologies with different groupings of such allies and partners;

(B) using policy instruments, including tax, investment, licensing, lending, and trade, to provide incentives to such allies and partners; and

(C) using, if necessary, existing authorities, including trade remedies, the United States Munitions List, the Entity List, economic sanctions, and other authorities available under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(2) ensure critical technologies do not advance the economic strategies, industrial policy goals, or military capabilities of United States arms embargoed countries;

(3) carry out joint research and development projects with covered United States allies and partners, with adequate safeguards for the protection and promotion of any resulting intellectual property, to—

(A) advance a broad range of scientific and technical disciplines, including with respect to critical technologies that may be affected by the implementation of the strategy required by subsection (b); and

(B) develop alternative markets to compensate for lost sales opportunities; and

(4) enhance the sharing of information with covered United States allies and partners that have entered into a multilateral export control agreement with the United States described in section ____ 04(d).

(b) STRATEGY.—

(1) IN GENERAL.—The President, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of State, the Director of National Intelligence, the Secretary of the Treasury, and the Secretary of Energy, shall develop a strategy to work with covered United States allies and partners to develop unified export control

policies to eliminate or substantially reduce the global availability of critical technologies to United States arms embargoed countries.

(2) INDUSTRY CONSULTATION.—

(A) IN GENERAL.—The President shall—

(i) inform and solicit input in writing from representatives of relevant United States industries in developing the strategy required by paragraph (1); and

(ii) submit to the appropriate congressional committees input received pursuant to clause (i).

(B) DISCLOSURE OF CONFIDENTIAL INFORMATION PROHIBITED.—No such committee, or member thereof, may disclose any information made available under subparagraph (A)(i) that is submitted on a confidential basis unless the committee determines that the withholding of that information is contrary to the national interest of the United States.

(3) MATTERS TO BE INCLUDED.—The strategy required by this subsection shall include the following:

(A) An identification of critical technologies that are priorities for—

(i) the national security and the defense industrial base of the United States; and

(ii) the economic strategies, industrial policies, and military development of United States arms embargoed countries.

(B) An identification of United States export control policies for critical technologies identified under subparagraph (A).

(C) An identification of covered United States allies and partners and their share of the global market with respect to critical technologies identified under subparagraph (A).

(D) A description of ongoing and future efforts to work with covered United States allies and partners to develop unified export control policies in accordance with the United States policy described in subsection (a).

(E) An assessment of the effectiveness and methods of past efforts by United States arms embargoed countries to circumvent export control policies relating to critical technologies identified under subparagraph (A).

(F) The establishment of a working group, to include appropriate representatives from the Department of Commerce, the Department of Defense, the Department of State, the Office of the Director of National Intelligence, the Department of the Treasury, the Department of Energy, and other relevant Federal agencies, to implement the strategy.

(c) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 4 years, the President shall submit to the appropriate congressional committees a report in writing that contains—

(A) the strategy required by subsection (b); and

(B) a summary of input solicited and received from representatives of relevant United States industries in developing the strategy required by subsection (b).

(2) FORM.—The report required by this subsection shall—

(A) be submitted in unclassified form but may contain a classified annex; and

(B) be made available on a publicly accessible government website.

SEC. ____ 04. ACTIONS TO SECURE THE GLOBAL SEMICONDUCTOR SUPPLY CHAIN.

(a) FINDING.—Congress finds that, according to the Second Quarter Recommendations of the congressionally established National Security Commission on Artificial Intelligence, high-end semiconductor chips with feature sizes 45 nanometers and below are